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LAWS
OF
CUBA, PUERTO RICO
AND THE
PHILIPPINES

CIVIL CODE
COMMERCIAL CODE
CONSTITUTION
MUNICIPAL
PROVINCIAL
CIVIL ADMINISTRATION
ELECTORAL

VOL. I.

JAMES McMILLAN.

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1890

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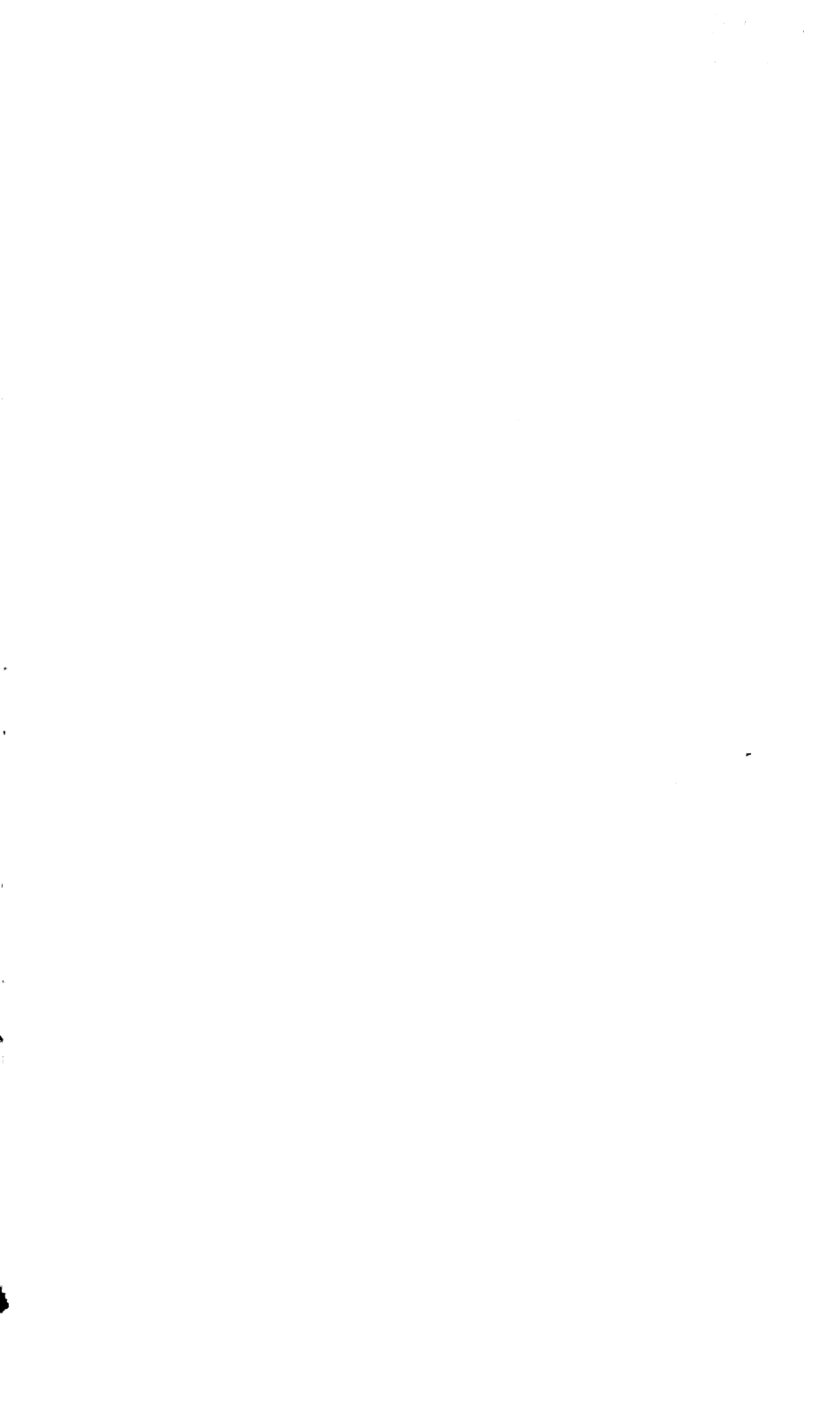
University of Michigan

Presented by

Mr. McMillan

Nov. 11

1906



L A W S

OF

CUBA, PUERTO RICO, AND THE PHILIPPINES.

WAR DEPARTMENT,
DIVISION OF CUSTOMS AND INSULAR AFFAIRS,
1899.

VOLUME I.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1899.

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TRANSLATION.

ELECTORAL LAW

FOR THE

ELECTION OF COUNCILORS AND PROVINCIAL
DEPUTIES IN PORTO RICO.

DIVISION OF CUSTOMS AND INSULAR AFFAIRS.
WAR DEPARTMENT.

August, 1899.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1899.

ROYAL DECREE.

In view of the provisions of the law of March 15, 1895, authorizing my Government to modify the electoral procedure in force in the island of Porto Rico according to the prescriptions of Article III of said law, at the suggestion of the colonial secretary and in concurrence with the council of secretaries;

In the name of my august son, the King Don Alfonso XIII, and as Queen Regent of the Realm,

I decree the following:

ARTICLE 1. The accompanying electoral law is hereby approved.

ART. 2. The electoral law approved by this decree shall be promulgated and observed in the island of Porto Rico.

Given at the Palace on the 31st of December, 1896.

MARIA CRISTINA.

TOMAS CASTELLANO Y VILLARROYA,
Colonial Secretary.

ELECTORAL LAW FOR THE ELECTION OF COUNCILORS AND PROVINCIAL DEPUTIES IN PORTO RICO.

TITLE FIRST.

ELECTORS AND ELIGIBLES.

CHAPTER FIRST.—*Electors.*

ARTICLE 1. The electors of councilors and provincial deputies in Porto Rico shall be all the residents who are heads of families, over 25 years of age, who have resided at least two years in the municipal district, and who have paid on their own property the amount of 25 pesetas or more as a tax on real estate, cultivation of the soil, and on cattle, or as industrial or commercial subsidy for one year before the making up of the electoral lists, or if they prove that they are civil employees of the State, province, or municipality in active service, or suspended with pay on account of their category, and suspended with pay or retired from the army or navy.

The quota, to which the preceding paragraph refers, shall be calculated by adding up that paid by the taxpayers within and without the town by reason of direct taxes of the State and for municipal surtaxes. Besides, the amount paid for taxes imposed by the provincial deputacion by virtue of the new powers which are granted to it by the provincial law modified by the decree of this date, shall be computed for all electoral purposes as if they were levied by the State. Persons who are over 25 years of age and have resided for two years at least in the municipal district and who justify their professional or academic qualifications by means of an official diploma, shall also be electors.

In towns with a population of less than 100 inhabitants all of them shall be electors, without further exceptions than the general ones established by article 5 of this law.

ART. 2. In order to compute the taxes to be paid by the electors, the following shall be considered their own property:

1. With regard to the husbands, all the property belonging to their wives during the continuation of the conjugal partnership.
2. With regard to parents, that belonging to their children of which they are the legal administrators.
3. With regard to children, their own property of which for any reason whatsoever their mothers have the use.

ART. 3. For electoral purposes there shall be levied on the partners of business concerns, which are not corporations, the tax which they pay as such, distributed among those who are in the concern in proportion to the interests which each one has in the same, and if this be not known, then it shall be distributed in equal parts.

The existence of these societies or companies and the participation of each partner in them, as well as the characters of those who constitute the same, should be included in a public instrument and recorded in the proper registry.

ART. 4. In all leases or partnerships there shall be levied for the effects of this law two-thirds of the tax on the proprietor and the remaining third on the lessee or lessees, provided that by a public instrument duly registered, in a proper case, it be proved that the lease or partnership existed a year before the levying of this tax.

The notaries shall issue on official paper, and without collecting any fees, the copies of the document to which this and the preceding article refer, and the registers of property, in a proper case, shall, also gratis, issue on the same paper the certificates of entry or record, each one expressing the purpose for which the documents are destined, so that they shall not be presented nor admitted in any superior or inferior courts nor offices for a different purpose than that determined by this law.

ART. 5. The following can not be electors:

First. Those who, on account of final sentence, are deprived of the exercise of political rights.

Second. Those who, at the time of the elections, are criminal indicted, if they have been remanded to prison and have not instead furnished bail in the cases in which it is admissible according to law.

Third. Those sentenced to corporeal or correctional punishments while they have not fulfilled their sentences nor secured their rehabilitation, in cases in which it is proper.

Fourth. Those who, lacking means of subsistence, receive the latter in charitable institutions, and those who are recorded as mendicants and authorized by the municipalities to beg public charity.

CHAPTER SECOND.—*Eligibles.*

ART. 6. All persons who are electors shall be eligible to be provincial deputies.

ART. 7. All resident electors of the town are eligible for councilors who possess the qualifications required by the municipal law of Porto Rico.

ART. 8. Those who are included in any of the cases of disqualification or incompatibility mentioned in the respective laws can not be elected to any of the offices referred to in the preceding articles.

ART. 9. Those who have been Spanish citizens and who have lost

their nationality, and who acquire it again in accordance with the laws, shall have to prove that they recovered their Spanish nationality one year at least before the day on which they were elected.

TITLE SECOND.

THE ELECTORAL CENSUS.

CHAPTER FIRST.—*Manner of acquiring and forfeiting electoral franchise.*

ART. 10. The electoral lists, formed in accordance with the preceding provisions, shall constitute the permanent electoral census for councilors and provincial deputies.

ART. 11. The electoral franchise and the inscription in the census, after the lists have been published, can only be obtained and forfeited by virtue of a judicial declaration made at the request of a legitimate party, in accordance with the proceedings established by this law.

ART. 12. For the purpose of making this declaration, with the exclusion of all other prerogatives, the judges of the judicial districts included in the district in which lists of the inclusion or exclusion of the electors are to be made, are competent.

ART. 13. The right to demand the inclusion or exclusion of the electors in the lists of each district belongs to those already inscribed in them, who, as well as those who are interested, may exercise it at any time.

ART. 14. No other demand for inclusion shall be admitted nor proceeded with which is not accompanied by documentary justification of the right which is asked for. This justification shall include the three qualifications of age, amount of taxes, or qualifications, and residence in the respective town.

ART. 15. The documentary justification of age can be substituted by information given by a witness before the competent judge.

ART. 16. The judge shall admit or refuse the demand within the eight days following the presentation of the necessary justification. The claim being admitted, the judge shall order that said claim be published, by means of edicts, posted in the usual places of the town which is the seat of the judicial district, and in those of the domicile of the persons whose inscription is solicited, and shall be announced in the official bulletin of the province.

ART. 17. Within the period of twenty days, counted from the date on which the advertisement was inserted in the official bulletin, there may appear in opposition to the inclusion those who are interested, if they are not the claimants, or any other electors.

ART. 18. The period referred to in the preceding article having expired without any opposition to the claim having been brought, the judge, within twenty-four hours, shall give a definite sentence with his reasons, granting or denying the electoral right solicited. This sentence may be appealed from for review and for stay of proceedings, and

if not appealed from, the sentence shall be final, without the need of any declaration, the execution of the same being carried out immediately.

ART. 19. If within the period of twenty days there appears any opposing claim, there shall be given immediately a copy of the communication containing the reasons for refusing the request to the interested party, and the judge shall order the citation of the parties for an oral hearing, which shall take place at the utmost five days after the expiration of the said period, at which hearing there may appear with the former a friend or counselor with each one to defend their rights.

ART. 20. Minutes shall be drafted of this hearing, which may last for three days, and in which new justifications may be admitted, provided they are not given by witnesses, which minutes shall be signed by the judge, the parties in question, or their counselors, and the clerk.

The new documents that may be presented shall be attached to the record of the proceedings, either original or by means of certified copies in accordance with their contents.

ART. 21. After the oral hearing is concluded and during the next day the judge shall render sentence, which may be appealed from for review and for stay of proceedings, the sentence being final if this privilege is not made use of.

ART. 22. If an elector inscribed in the lists of the electoral district should change his residence to another subdistrict or different section, it shall be sufficient in order to be inscribed in the lists of the new domicile for the latter to prove by documents that he was inscribed in those corresponding to the section of his previous residence; but contrary proofs shall be admitted if there be legitimate opposition.

ART. 23. If the demand be one of exclusion, it should be accompanied also, in order to be admissible, by a negative documentary justification denying the opinion why the elector's name should appear in the list, or by an affirmative one respecting the circumstances which cause the legal disqualification in accordance with article 5 of this law.

ART. 24. The demand being admitted in this case, the proceedings prescribed for cases of inclusion shall follow; but besides the publication required by article 17, the electors whose exclusion is solicited shall also be personally cited.

This citation shall be made by an order accompanied by a literal copy of the demand and all the documents in the manner prescribed by articles 263 and 264 of the law of civil procedure now in force in the Antilles. It shall be served at the residence which the interested party appears to have according to the list.

To the latter, as well as to any other elector who may appear to maintain his right, it shall be sufficient for him to justify the qualifications or the especial circumstance which, in the demand and as a proof thereof, is denied him, and the judge shall decide this point in his decision.

ART. 25. Anyone who has been excluded from the lists of the electoral census for any of the reasons mentioned in this law can not be inscribed again in those of the same nor in those of a different district without proving that he subsequently regained the necessary qualifications to be an elector.

ART. 26. There can not be included in the same demand claims for inclusion and exclusion.

ART. 27. The appeals to which articles 19 and 22 refer shall be brought within the period of three days from the time of the notification of the sentence and shall be admitted at once, forwarding the original orders to the Audiencia of the territory after previous citation of the parties to appear in court within the period of fifteen days.

The appeal may be made in the same document as the notification of the sentence.

ART. 28. These appeals shall be brought in the manner and by the procedure prescribed by articles 1459 et seq. of the law of civil procedure, but without making a summary, within the precise period of twenty days, and hearing before everything the public prosecution department, to whom the proceedings shall be forwarded after the appellant has appeared, in order that it may submit its written report within three days.

ART. 29. In the petition for an appeal, nullity of the sentence appealed from may also be alleged because of omission in the first sentence of certain proceedings prescribed in this law; and if the court approves the nullity it shall order the orders to be returned to their original condition when the infraction was committed, with payment of the costs by the judge or official who may appear to be guilty of the offense.

ART. 30. There shall be no appeal from the final verdict of the audiencia.

ART. 31. All the periods fixed in the previous articles can not be extended, and there shall not be counted in the same the days on which judicial proceedings can not be held, but the days of vacations of the courts shall be counted and shall not be an obstacle to the procedure and decision of these proceedings.

ART. 32. In these proceedings the parties may be represented by a solicitor, but in such case, if the representing solicitor is not an elector of the district or section, there shall be named in the power of attorney the persons whose inclusion or exclusion has been solicited, and the claim can not be extended to others.

ART. 33. The drafting of these judicial proceedings shall be made on common paper, and no fees whatsoever shall be charged. The judicial or administrative authorities and the parish priest shall issue, free of charge, any document which the elector or resident may require in order to prove his qualifications or the qualifications or disqualifications of other electors. These documents shall be requested by means of an

application stating the purpose of the same, and shall not be admitted in any court nor office unless it be to prove the right or disqualification of the electors. Those who make use of them for other purposes shall be considered as defrauders of the revenue of stamped paper.

ART. 34. All questions of procedure which can not be expressly decided by the foregoing articles shall be decided by the general rules of substantiation of the law of civil procedure.

ART. 35. The final sentence being rendered, a literal copy of the same shall be given to the interested persons who may ask for it, and another copy shall be officially sent at once as a proof thereof, and in order that the sentence may take effect in the registry of the electoral census, to the delegate of the region, who shall immediately acknowledge receipt thereof, and shall order, under his most strict liability, the proper entry in the respective lists.

CHAPTER II.—Annual formation and rectification of the electoral census.

ART. 36. In the office of the municipal secretary of the town, which is the seat of each electoral district for provincial deputies, there shall be opened a book entitled "Registry of the electoral census for the election of councilors and provincial deputies," divided into as many parts as there may be colleges into which each municipal district of those existing within the electoral district is divided, in accordance with the provisions of the municipal law.

Each one of these parts of the registry shall have the following title: "Registry of the electoral census of the municipal council of —— (the name) ——, college of —— (the name)," etc., with their correlative numeration.

ART. 37. In each of these divisions of the census there shall be entered, in alphabetical order of surnames, the names of the electors corresponding to each college, in two separate lists, which shall include:

The first, those electors who are such by reason of their being taxpayers.

The second, those who are such by reason of their qualifications.

Each one of the lists shall be divided into four vertical columns, in order to enter—

In the first, the name and paternal and maternal surnames of the elector.

In the second, the reason for his electoral franchise.

In the third, the place where he is a taxpayer or where he has acquired his professional academic degree.

In the fourth, his residence.

ART. 38. These lists constitute the electoral census, and the books of the registry, such as the protocol and list of the same, shall be in charge of the inspecting committee of the electoral census for the election of the deputies to the Cortes, in the manner and under the liability prescribed by article 47 of the royal decree of December 27, 1892.

ART. 39. Any elector changing his residence within each district and within each section or electoral college shall so communicate it in writing to the inspecting committee of the census, leaving notice of his new residence in the office of the secretary for the proper purposes in the immediate rectification of the lists.

ART. 40. The lists of the electoral census thus made up shall have as a heading the year in which they are to be in force, and at the end the certification dated on January 1 of each year and signed by the members of the inspecting committee and its secretary, which certification shall read as follows:

The foregoing lists, without any omission or addition whatsoever, include the names of all the electors for councilors and provincial deputies, according to authentic data forwarded to this committee up to date, and the undersigned hereby certify to its correctness.

(Date and signature.)

ART. 4. In separate blank books from the registry books, which shall be called "Of admission" and "Of withdrawal," of the electoral census, one corresponding to each college, the names in proper order and classification shall be successively entered:

1. Of the electors inscribed in the lists of the census who have died, with reference to the statements of the civil registry.

2. Of those who may have legally forfeited their residence within the territory of the district, with reference to the registry lists of the respective municipality and the notices of the interested parties, if there be any.

3. Of those who may have become disqualified or excluded from the lists, with reference to the final sentences of the proper courts.

4. Of the new electors ordered to be inscribed by judicial sentence, also with the same reference.

ART. 42. On the 1st day of December of each year there shall be published by edicts in all the municipalities of each electoral district, and there shall be inserted in the official bulletin, the admissions and withdrawals from the census which may have been made during the year for the entire district, in accordance with the foregoing article.

ART. 43. The inspecting committee shall receive the protests that may be made until the 10th of the said month of December by any other elector inscribed in the lists in force, or by the interested parties in the published entries of admission and withdrawal against the correctness of the same, and shall act on them at once, taking into consideration all the data existing in the office of the secretary, and notifying at once its decision to the claimants.

ART. 44. The latter may, until the 20th of the same month, appeal from the decisions of the committee to the competent court, which shall finally decide on the claim in question, under its personal liability, taking into consideration the proceedings which shall be sent by the committee, together with the appeal and the data, if there be any in the said court, and its decision shall also be made known at once to the

claimants and communicated with an order to return the proceedings to the inspecting committee, so that it may conform thereto.

To take cognizance of these appeals, the inferior courts from which the final sentences emanate, to which the published entries refer, shall be competent in the first place, and, in the absence of the latter, the inferior court of the seat of the electoral district, and where there is more than one inferior court, the one first established.

ART. 45. In accordance with the result of the proceedings prescribed by the foregoing provisions, the lists of electors of each municipality shall be rectified, and thus rectified, they shall be inscribed in the registry of the electoral census in the manner provided for by the proper articles.

ART. 46. Within the first eight days of the month of January of each year there shall be published in printed form, and there shall furthermore be inserted in the supplements in the official bulletin, the lists of the electoral census of each district as finally made, and the respective copies shall be transmitted to all the colleges certified by the secretary of the inspecting committee and countersigned by the chairman.

ART. 47. The electoral lists thus rectified and published shall be final and remain in force until a new rectification takes place.

ART. 48. The lists in force shall be the basis for those that are to follow.

TITLE III.

ELECTORAL PROCEDURE.

CHAPTER I.—*Municipal elections.*

FIRST SECTION—ORGANIZATION OF ELECTORAL COLLEGES.

ART. 49. The election of municipal councils shall take place at the time prescribed for their renewal by the municipal law.

ART. 50. The Governor-General shall issue the call for the ordinary and extraordinary elections of municipal councils, announcing them in the manner provided for by the municipal law.

ART. 51. Each municipal district shall organize its section, which may be divided into electoral colleges in accordance with the provisions of the municipal law.

ART. 52. Ten days at least before the one fixed for the election, the municipal council shall announce, by means of edicts, the designation of the places in which the respective electoral colleges are to meet, publishing with the same period in advance, the lists in force of the electors in each of them.

ART. 53. Balloting in each section shall take place under the chairmanship of the mayor of the municipal council, the head of said section, in conjunction with the proper number of supervisors, who shall be

2. directly appointed by the electors, and who, together with the chairman, shall constitute the electoral committee.

When one section includes different electoral colleges, the deputy mayors and aldermen, in their order, shall preside over the committees which the mayor may not be able to preside over.

ART. 54. The designation of the supervisors for each electoral committee shall be made on tickets which shall be signed by the electors of the respective colleges who may wish to subscribe them, or by means of notarial instruments drafted on official paper and certified to by a notary.

In each of these tickets or instruments not more than two persons can be proposed for the office of supervisor, and if there should be more than two designated, only the first two shall be considered as proposed.

There may also be designated in each ticket or instrument two substitutes to take the place of the supervisors proposed therein who, for any reason whatsoever, might not be able to fill the office. The supervisors, as well as the substitutes, must necessarily be electors of the same section or college, and must know how to read and write.

The tickets shall be drafted in accordance with the following form:

Section of _____.

College of _____.

The undersigned propose for supervisors of the electoral board of this college the following electors of the same,

Mr. _____.

Mr. _____.

They also propose as substitutes:

Mr. _____.

Mr. _____.

[Date and signature.]

Immediately following this the persons designated as supervisors and substitutes may state over their own signatures that they accept the offices.

The notarial instruments shall be drafted in the ordinary manner in accordance with the laws and the same statement prescribed for the tickets.

ART. 55. Two of the electors signing the proposal shall place their rubric at the margin of all the sheets of the ticket, and shall sign on the sealed envelope which is to inclose it the following statement:

Section of _____.

College of _____.

We certify to the authenticity of the signatures attached to the proposal contained in this envelope.

[Date.]

Without this guarantee the document shall not be admissible.

The notarial instrument must also be presented in a sealed document, on the envelope of which, the same as in the text of the instru-

ment, the notary who authenticates it shall certify, over his signature, to being acquainted with each and every one of the electors who appear in the same as having concurred in the proposal, although they may not sign it because they do not know how to write, and shall be personally responsible for the truth contained in said proposal.

ART. 56. On the Sunday immediately preceding the day fixed for the election, at 11 a. m. sharp, the municipal council shall meet in public session, and at that time, and not before, there shall be received and deposited upon the table in the proper order, by colleges, the envelopes containing the proposals for supervisors, which, according to the provisions of the foregoing article, may be handed in by the electors.

ART. 57. At 12 o'clock sharp of the same day the mayor, as the presiding officer, or any one who may legally substitute him, shall announce that the opening of the envelopes presented is to take place, following the correlative order of the colleges. The presiding officer shall open and read the contents of the envelopes, and the secretary, who shall be the secretary of the municipal council, shall enter in the minutes what may appear therefrom.

After all the envelopes have been opened the names signed to the tickets and those of the electors who appear as parties to the notarial instruments shall be compared with those of the corresponding electoral list; and no account shall be taken, for any purpose whatsoever, of the names of the persons who do not appear inscribed in the said list, nor of those of the electors who appear concurring simultaneously in different proposals, in which case the latter shall be sent afterwards to the court of competent jurisdiction for what may be proper according to justice. The verification having been effected, there shall be stated in the minutes the number of envelopes which have been opened and accepted, the names of the supervisors and of the substitutes designated in each document or notarial instrument, and the number of electors concurring in each proposal.

ART. 58. If the total number of supervisors proposed in the document presented and accepted for each college should be four or six having the qualifications required, they shall be considered as elected at once and shall be so declared immediately. If said number should be greater, there shall only be considered as elected, and shall be equally proclaimed so, the six having more votes in the proposals, and in case of a tie it shall be decided by lot.

ART. 59. If on the date and hour fixed by article 55 no document containing a proposal for any college has been presented, or if the total number of those designated for supervisors should not reach four, the municipal council, in union with those already designated, shall complete said number with the substitutes, if there be any, or shall otherwise name unrestrictedly any electors of the same college that should have the qualifications required.

ART. 60. At the conclusion of these proceedings the supervisors proclaimed, and whose acceptance does not already appear in the said proposals, shall be called upon to accept the office at once, obligating themselves to perform their duties well and faithfully. The same shall be done by the substitutes in a proper case and place.

If they should not be present, their appointment shall be communicated to them on the same day, exacting from them a reply within the next two days as to whether they will accept the same or not.

If any of the supervisors thus appointed should not accept or should not possess the required qualifications, his place shall be taken by the proper substitute, and in the absence of substitutes, by any of the electors of the same college, which may be designated by the other supervisor for the purpose, and who was proposed in the same document or instrument in which the resigning or excluded officer was inscribed; and if the excluded or resigning officers should be the two named in the same document and there should be no substitutes, the majority of the members of the municipal council associated with the other supervisors already proclaimed for the same college, should there be any, shall unrestrictedly name two other electors, to whom the appointment shall be communicated in the prescribed form.

ART. 61. The office of supervisor of the electoral committees, after having been once accepted, is obligatory. If before the day of the election one of the supervisors should be unable to discharge his duties, he shall be substituted in the manner prescribed in the previous article.

ART. 62. After all the proceedings prescribed in the foregoing articles are concluded the minutes shall be drafted without taking any recess, and shall be signed by all the members of the municipal council and its secretary, and there shall be inserted, in a proper case, the protests and claims which may have been made by the electors present, and also the decisions relating to them which the municipal council must issue at once. The authors of the claims shall also have the right to sign the minutes.

The chairman shall then declare the electoral colleges constituted, and shall summon the supervisors named for the hour when balloting is to begin, and shall adjourn the session without allowing any other questions to be discussed except those determined by these provisions.

ART. 63. The original minutes of this session, together with the papers and documents appertaining to the same, shall be filed in the office of the secretary of the municipal council, forwarding to the respective electoral committees, during the next day at the latest, partial certificates authenticated by the secretary with the counter signature of the chairman, in which certificates, with reference to said minutes, there shall be designated the supervisors appointed for said committees.

ART. 64. Two literal copies of the minutes of the election of the committee, subscribed by all those who signed the original, shall be for-

warded on the same day to the president of the provincial deputation and to the delegate of the region with the formalities prescribed in article 79.

SECOND SECTION—BALLOTING.

ART. 65. In every call for elections of councilors, whether they be general or partial, a Sunday shall always be designated for the election.

ART. 66. Voting shall be simultaneous in all the colleges on the Sunday designated, beginning at 8 a. m. sharp and continuing without interruption until 4 p. m., when it shall be definitely announced as closed, and the counting of the ballots cast shall begin.

If, through any material and serious disturbance of public order, balloting could not take place in one or more of the colleges on the day designated, the chairman shall suspend it, announcing it as soon as order has been restored, for the next day; that is, twenty-four hours before that on which voting is to begin.

The municipal council and the delegate of the region shall be notified on the same day of this suspension and the reasons for the same.

ART. 67. The electoral committee shall be established in the proper building with due anticipation.

If at the appointed hour any of the supervisors or their substitutes have not appeared, this shall not be a reason for suspending the election, which shall be begun and continue with the members of the committee who may be present, without prejudice to the liability incurred by the absentees who do not justify their absence with a legitimate reason before the session adjourns.

In case all or a majority of the supervisors are absent, the chairman of the board shall complete the number by unrestrictedly appointing those that are necessary from amongst the electors who may be present.

ART. 68. Balloting shall be secret, and shall take place in the following manner:

The elector shall approach the committee, and, giving his name, he shall deliver with his own hands to the chairman a folded ballot of white paper, on which there shall be written or printed the name of the candidate or candidates for whom he votes for councilor.

The chairman shall deposit the ballot in the proper ballot box, after ascertaining in case of doubt, by means of the examination which the supervisors shall make of the lists of the electoral census, that the name of the voter is inscribed therein, and he shall say aloud, "So and so (the name of the elector) votes." The chairman is required to have the ballot constantly in view of the public from the moment it has been delivered to him until he drops it into the ballot box. Two of the supervisors shall enter in the duplicate lists the names of the electors, numbering them in the order in which they have cast their votes.

ART. 69. When, on account of a public challenge issued by another elector denying the identity of an individual desiring to vote, there may be reason for doubt, the admission of his vote shall be suspended until the committee, when balloting is ended, decides what may be proper on the proposed challenge.

ART. 70. The committee, by a majority of its members, shall decide on the admission of challenged votes which have been suspended according to the provisions of the foregoing article.

In this challenge it shall be a necessary requirement, in order to refuse the ballot of the person challenged, that sufficient proof be immediately presented. In any case, it shall be ordered to be sent to the competent court, so as to fix the blame and exact the criminal liability which may be incurred from either the person appearing as the usurper of another's status and name, or from the challenger who may have falsely made the imputation.

ART. 71. At 4 p. m. sharp the chairman shall announce aloud that voting is going to cease and no one will be permitted to enter the place.

The chairman shall ask if any of the electors present has not voted.

This question shall again be repeated after an interval of one minute, the votes then cast being accepted. After deciding the protests, should there be any, to which the two previous articles refer, and the votes which the majority of the committee decides to accept being allowed, the members of said board shall immediately vote, they being the last, and the supervisors shall rubricate the numbered lists of the voters after the last name inscribed thereon.

ART. 72. The chairman shall at once declare the ballot closed and the examination of votes shall commence, the chairman personally reading the ballots aloud, picking them out from the ballot box one by one while the supervisors verify the number of ballots thus read with that of the electors who voted which appear in the numbered lists.

ART. 73. Every elector may vote for two councilors, when three are to be elected; for three, if four or five are to be elected; for four, if six are to be elected, and for five, if seven are to be elected.

ART. 74. The ballots cast which appear blank or are not intelligible (or do not contain the first names of persons shall be null and shall not be counted for any purpose whatsoever.

When any ballot contains more names than the number of candidates to be voted for by each elector the vote shall only be good for those who complete the number required, in the order in which they are written in the ballot, and the balance shall not be considered as written thereon.

If this order can not be determined the ballot shall be null in its entirety.

ART. 75. When an elector may express a doubt about a ballot read by the chairman he shall have the right, if he claims it, to be allowed to at once personally examine it.

ART. 76. After the examination of votes the chairman shall announce

the result aloud, stating, according to the notes taken by the supervisors, the number of ballots read, that of the electors who voted, and that of the votes obtained by each candidate.

ART. 77. The ballots taken out of the ballot box shall be burned immediately before the persons present; but those specified in the previous article, or those which have been the cause of challenge by any elector, shall not be burned. The originals of these shall be attached to the minutes, the supervisors rubricating them on the back, and they shall be filed together so as to have them at the disposal of the provincial deputation or of the municipal council whenever wanted.

ART. 78. At the conclusion of all the above-mentioned proceedings the chairman and the supervisors of the committee shall sign the minutes of the session, wherein shall be stated in detail the number of electors in the college according to the lists of the electoral census, of the electors who voted, and of the votes obtained by each candidate, the challenges and protests which may have been made by electors with respect to the voting, or the counting shall be briefly stated, and the resolutions, with reasons which the majority of the committee may have passed upon them, with the individual votes, if there be any, of the minority of its members.

These minutes, with all the original documents to which reference may be made in the same, and the ballots for secret voting, according to the preceding article, shall be filed in the office of the secretary of the municipal council, for which purpose they shall be sent to the mayor of the same before 10 a. m. of the next day following that of the election.

ART. 79. There shall be sent, on the same day of the election, to the president of the provincial deputation and to the delegate of the region, respectively, two literal copies of the minutes, authenticated by all the members of the committee. The documents which are to be forwarded by mail shall be delivered at the nearest post-office or postal station, closed and sealed, two of the supervisors of the committee certifying on the cover as to their contents, with the countersignature of its chairman.

The postmaster shall issue a receipt, stating the day and hour when the papers were delivered to him, and he shall send them immediately to their respective destinations.

ART. 80. Before the electoral committee adjourns, it shall select one of its supervisors to be present at the meeting of the board for the general examination of ballots, as the representative of the aforesaid committee.

This selection shall be made by a majority of the members of the committee, and the person elected shall receive the corresponding credentials of his appointment, authorized by the chairman and two of the supervisors, as well as a literal copy of the minutes of the session of the election.

ART. 81. On the day following that of the election, before 10 a m.,

there shall be exhibited to the public, outside of the doors of the electoral college, copies of the numbered lists of the electors who may have voted and a recapitulation of the votes obtained by each of the candidates.

These copies shall be certified to by the chairman and the supervisors of the committee, the delegate of the region being required with reference to the certification that he is to receive, according to art. 79, to order the immediate publication of the lists in the official bulletin.

ART. 82. Should any of the candidates having obtained votes, or any other elector in his name, demand a certification of the lists and the recapitulations to which the preceding article refers, they shall be issued by the committee without delay.

ART. 83. The chairman of the committee shall exercise, within the limits of the electoral college, the exclusive authority to preserve order, to secure the liberty of the electors, and to maintain the observance of this law.

The local authorities may also, however, assist, and render their aid within and without the electoral college only when the chairman requests it.

ART. 84. Besides the local and civil authorities and the assistants which the chairman may require, only the electors of the same college shall be admitted therein. The chairman of the committee shall see to it that the entrance to the college be kept open, and that the admittance of the electors be not hindered.

ART. 85. No person can enter the college with arms, nor sticks, nor canes, nor umbrellas, except the electors who, on account of well known infirmity, have absolute necessity of support in order to approach the board; but they can only remain in the building the time necessary to cast their votes and no longer. The elector who violates this precept, and who after due warning does not submit to the orders of the chairman, shall be expelled from the building, and shall forfeit the right to vote in that election, without prejudice to any other liability he may incur. The authorities may use, however, within the college, the canes and other insignia of their offices.

In no case shall the force of any military institution be allowed to remain at the door of the electoral college, and still less can it enter the latter, except in case of disturbance of the public order and when requested by the chairman.

THIRD SECTION—GENERAL EXAMINATION OF VOTES.

ART. 86. On the Sunday immediately following that of the voting, at 10 a. m. sharp, there shall meet in the municipal building the board of general examination of votes in order to count the votes cast in all the colleges. If, for any insurmountable obstacle, the board should not be able to meet on the Sunday designated, it shall do so at the earliest day possible, in accordance with the announcement to be made by the

chairman notifying the members of the board and announcing it with the proper publicity.

ART. 87. The mayor of the municipal council shall be the chairman of the board of general examination of votes.

ART. 88. The board shall consist, as examining secretaries, with the right of speech and vote in its discussions:

1. Of all the councilors of the municipal council.
2. Of one supervisor for each electoral board, according to the appointments made by them.

ART. 89. Whatever may be the number of examiners present, provided they exceed five, at the hour when the board should meet, the chairman shall declare it in session, and shall then appoint four of the examiners in order that they may perform the duties of secretaries to said board.

ART. 90. By order of the president, one of the latter shall read the provisions of this law in regard to the ceremony, and immediately thereafter the examination shall begin by counting all the votes cast in all the colleges successively by their numerical order.

In order to do this the chairman shall put on the table the electoral lists, the original records received from the colleges, and the chairman of the board shall order that an account be given by one of the secretaries of the summaries of each voting, the other secretaries making the proper memoranda for the total recapitulation and the consequent allotment of the votes examined.

ART. 91. The claims and objections which may have been made regarding the legality of the votes shall and must be entered in the minutes of the examination in the order the minutes of the votes are examined. The members of the board of examination only can make these claims and protests.

ART. 92. The board of examination of votes can annul no record or vote. Its powers shall be limited to examination, without any discussion whatsoever, of the count of the votes cast, strictly observing those which are admitted and computed by the decisions of the electoral boards according to the records of the respective votings, and if any doubt or question should arise as to said count, whatever is decided by the majority of the members of the said board of examination of votes shall be final.

ART. 93. After the conclusion of the count of all the votes, there shall be read aloud by one of the secretaries of the board the general recapitulation of the result, and the chairman shall then declare as councilors-elect the candidates who have the greatest number of votes examined in the entire municipal district until completing the number which said district has to elect.

ART. 94. In cases of ties, the chairman shall declare them presumptive councilors, the provincial deputation reserving the right to render the final decision which may be proper.

ART. 95. Three detailed minutes shall be drafted of all that took place at the meeting of the board of examination of votes, which shall be subscribed by all the members of the said board who were present at the session.

One copy of these minutes, together with those of the votings of the colleges and the original documents appertaining to the one and the other, shall constitute the record of the proceedings of the election, which shall be kept in the office of the secretary of the municipal council.

The other two copies shall be sent immediately to the president of the provincial deputation and to the delegate of the region, with the formalities prescribed by article 79.

ART. 96. Partial minutes of the general examination shall be issued to a number equal to that of the elected councilors or those declared presumptive. These certificates shall be limited to stating briefly the result of the election, with the summary of the general examination and the declaration of the councilor elect or presumptive, and with an exact statement of the protests and claims and their decisions, should they have been decided, or stating that there were none, as may be the case.

These certificates shall be sent directly by the chairman of the board to the candidates proclaimed, which shall serve them as credentials of their election in order to present themselves in the municipal council.

✓ ART. 97. After all the work of the board of examination of votes has concluded, the chairman shall declare the election finished and the board dissolved, and shall order all documents presented to be returned where they came from. The board of examination can not adjourn without having made said proclamation.

ART. 98. The provisions of article 78 et seq. are applicable to the board of general examination of votes.

ART. 99. In the municipal elections which have taken place in municipalities which have but one college, the general examination shall be made by the same board before which the election was held.

FOURTH SECTION—PARTIAL ELECTIONS.

ART. 100. The partial elections for councilors shall take place on the day designated in accordance with the proceedings and in the manner prescribed by this law for the general elections.

FIFTH SECTION—PRESENTATION OF THE CERTIFICATES AND ELECTORAL CLAIMS.

ART. 101. The claims presented against the qualifications of those declared and the protests relating to the nullity of the election shall be sent to the provincial deputation in order that the latter may decide them on July 1, as prescribed in the municipal law.

ART. 102. The provincial deputation shall examine and judge as to the legality of the election in accordance with the laws, and shall

declare councilors those who appear legally elected and so declared in the municipal councils and who possess the necessary qualifications.

ART. 103. In the cases of tied elections if only one of the candidates has the legal qualifications to be a councilor it shall approve his election.

It shall also approve the election of the candidate who appears legally elected if there be in the minutes protests which are justified against the election of the other candidate or candidates who were tied. Should these differences not exist, and all other circumstances being equal, it shall be decided by lot.

ART. 104. The councilors-elect who have been so declared shall present their credentials or their appointments in the office of the secretary of the municipal council before the end of the first month following the inauguration of said council.

If the election be a partial one the same period shall be allowed from the date of the declaration.

ART. 105. When, in order to estimate and judge as to the legality of an election claimed before the provincial deputation, the latter should deem it necessary to make some investigations, the president of said corporation, through the Governor-General, shall give for the purpose the proper orders to one of the judicial authorities of the territory.

ART. 106. After the provincial deputation approves an election, no claims whatsoever against the same shall be admitted, nor shall the validity of said election be again questioned, nor the legal qualifications of the councilor, unless it be by reason of disqualification subsequent to his admission.

ART. 107. The declarations of nullity of the elections and the reasons therefor made by the provincial deputation shall be published in the Gazette of Porto Rico.

ART. 108. Where an election is annulled on account of frauds committed in the selection of the board, the provincial deputation shall intrust the chairmanship of the board for the new elections to the mayor of the seat of the judicial district, and if the nullity should affect said seat the chairmanship shall be intrusted to the mayor of the nearest town.

The new elections shall take place before June 30, for which purpose the provincial deputation shall inform the respective municipal council of its agreement of nullity, ordering it to hold a new election.

ART. 109. In case of dissolution or suspension of municipal councils, or of substitution of one or more of its members, due to death or incapacity, the renewal shall take place by vote of the electoral body and by the same procedure pursued in the appointment, taking into consideration, with respect to partial renewals, what is prescribed in the municipal law.

CHAPTER II.

ELECTIONS OF PROVINCIAL DEPUTIES IN PORTO RICO.

ART. 110. The election of provincial deputies shall be held at the times prescribed in the provincial law.

ART. 111. The Governor-General shall issue the calls for the ordinary and extraordinary elections, announcing them in the manner prescribed in the provincial law.

ART. 112. For the election of provincial deputies there shall be observed the division established in the decree of this date, which designates the districts and sections included in each of the regions of the island.

ART. 113. The mode of procedure for the election of provincial deputies shall be subject to the provisions of this law for the municipal elections, in so far as it is applicable.

ART. 114. The electoral colleges shall be the same as those for municipal elections.

ART. 115. Literal copies of the minutes of the election of the board shall be forwarded, with the formalities prescribed in article 79, to the mayor of the town which is the seat of the district, to the president of the provincial deputation, and to the delegate of the region.

ART. 116. Each electoral college shall send the minutes of the election as soon as terminated to the office of the secretary of the respective municipal councils, and copies of the said minutes to the same authorities, and in the manner mentioned in the preceding article.

ART. 117. The general board of examination of votes shall meet in each seat of a district.

It shall be presided over by the mayor of the municipal council of the same, and shall consist of all the councilors of the said municipal council and of a supervisor for each electoral committee.

After the examination is concluded there shall be sent to the provincial deputation and to the delegate of the region authenticated copies of the minutes of the same, with all the formalities prescribed in article 79, filing the original, together with the other documents relating to the election, in the office of the secretary of the municipal council.

ART. 118. For the office of provincial deputies there shall not be credited to the candidates elect the votes which they may obtain in localities where they exercise jurisdiction, although the office which they hold is by popular election.

ART. 119. The deputies elect shall present their certificates in the office of the secretary of the provincial deputation eight days before the day fixed for the opening of its sessions, organizing itself on that day in the manner prescribed in the provincial law.

ART. 120. In case of dissolution or suspension of the deputation, or of substitution of one or more of its members, the renewal shall be

made by voting of the electoral body and by the same procedure pursued for appointments. The person elected shall take the place of the deputy whom he substitutes.

TITLE IV.

PENAL SENTENCES.

CHAPTER FIRST.—*Forgeries.*

ART. 121. All forgeries committed in any of the instruments connected with the elections of councilors and of provincial deputies, by any of the means indicated in article 310 of the penal code of Cuba and Porto Rico, shall be punished by imprisonment of from one to six months, a fine of from 500 to 5,000 pesetas, and temporary disqualification for public offices and for the exercise of political rights.

ART. 122. The following commit the crime of forgery:

1. The officers who, with the object of giving or taking away the electoral franchise, alter the electoral lists or the book of the electoral census.

2. Those who improperly attribute votes in favor of a candidate for any of the offices which are the subject of the election.

3. Those who knowingly and with manifest bad faith alter the hour when the election is to begin.

4. Those who, being included in the poll and electoral list, should vote, being aware that they are disqualified to exercise political rights or are included in any of the cases of article 5 of this law.

5. Those who, being electors, vote two or more times at the same or different places in an election, or who do it once assuming the name of another in order to vote.

6. The chairman and secretaries who permit the same elector at one election to vote two or more times, and those who permit it, even if it be only once, knowing that he is disqualified to exercise the electoral franchise.

7. Those who, at the time of making the residential poll list, say they are older than they really are, with the object of acquiring the electoral franchise.

8. The one who, entrusted with the duty of making the poll, maliciously misspells the name or surname of a resident with the object of depriving him of the electoral franchise.

9. And those who commit any other act of forgery which is not foreseen in the preceding numbers, and which refer to electoral proceedings or acts.

CHAPTER II.—*Coercions.*

ART. 123. All threats or direct coercions committed in connection with municipal elections and those of provincial deputies shall be punished with imprisonment of from one day to one month, a fine of from 250 to 2,500 pesetas, and temporary disqualification to exercise political rights.

ART. 126. The crimes of threats or direct coercion are committed by—

1. The civil, military, or ecclesiastical authorities, or any other class of public officials who force the electors depending on them, or which in any way are subordinated to them, making use of illegal means to give or deny their votes to a certain candidate.

2. Those who by taunts or any other kind of violent manifestations attempt to restrain the freedom of the electors.

3. Those conducting electors by means of agents or employees of the civil, military, or ecclesiastical authority so that they may cast their votes.

ART. 125. All indirect threats or compulsions committed in connection with the elections to which this law refers shall be punished by the penalty of correctional imprisonment, fine of from 250 to 2,500 pesetas, and temporary disqualification to exercise political rights.

ART. 126. The crimes of indirect threats or coercion are committed by—

1. Those who, by means of bribes or promises, recommend certain candidates as being the only ones who can or should be elected.

2. Those who, by means of presents or promises, combat the election of certain candidates.

3. The public officials who institute administrative proceedings, from the call of the election to the end of the same, of denunciations, arrears, lands, forests, public granaries, or any other branch of the administration.

4. The officers, including the secretaries of the Crown, who appoint, remove, transfer, or suspend clerks, agents, or employees of any branch of the administration, whether it be of the State, province, or municipality, in the period between the call until after the conclusion of the general examination of votes, so long as such acts are not based upon a legitimate cause and affect in some manner the section or college where the election is to take place.

The cause for the separation, transfer, or suspension must necessarily be stated in the order, and the latter shall be published in the Gazette of Madrid if it emanates from the central administration, and in the Gazette of Porto Rico if it was ordered by the provincial or municipal government. If these formalities are omitted it shall be considered as made without cause.

The royal decrees or orders relative to the delegates of the region and to military chiefs are excepted from these requirements.

5. Those who, availing themselves of persons reported to be criminals, should solicit through them an elector to vote in favor or against a certain candidate, and those who offer themselves to make the intimation.

6. Those who, by means of bribery, attempt to obtain votes in their favor or in that of another candidate, and the elector who receives money, gifts, or remuneration of any kind for voting or refusing his vote to a certain candidate or candidates.

CHAPTER III.—*Offenses committed by officers who take part in elections.*

ART. 127. All offenses in the fulfillment of obligations imposed by this law on the public officials at elections of any class whatsoever, which are mentioned in the same and in the acts related thereto, shall be punished by imprisonment of from one to six months, a fine of from 250 to 2,500 pesetas, and temporary disqualification to exercise political rights.

ART. 128. This offense is committed by—

1. The chairman of an electoral committee who clearly refuses or prevents any elector from exercising the rights granted by this law in connection with the renewal of municipal councils and the provincial deputation and the examination of votes.

2. Those who fail to declare the examining secretaries, commissioners to attend the examination of councilors and provincial deputies, those elected for any of these offices, according to the law, or those who unduly declare others.

3. The public officials who alter the periods or times designated for the making and rectifying of the lists for the elections and for the examinations of votes.

4. The mayors who should not publicly exhibit in the usual places and at the times indicated in this law, the electoral lists, and the chairmen of committees and the examining secretaries who should fail to do the same with the list of the electors of the section or college with that of the electors who may have taken part in the election and with the result of the examinations of votes that have taken place and the votes received by the candidates.

5. Those who should not furnish to the candidates, or to the electors representing them, whether they make application verbally or in writing, with the proper certificate containing the number of those who voted or of the result of the examinations of votes, or who should delay in doing so for more than twenty-four hours.

6. The commissioned supervisors who, without legitimate cause, should fail to appear with the documents which they should carry with them at the meeting of the board of examination of votes on the day, hour, and at the place designated for the purpose, in advance.

7. Those who, being in charge of forwarding their credentials to the candidates elected and declared, should fail to do so in due time, and the chairmen of committees and examining secretaries who do not furnish the commissioner appointed to attend the examinations of votes with all the proper documents.

8. The chairman or examining secretary who, after taking possession of his office, abandons it or refuses without just reason to sign the minutes or resolutions of the majority.

9. The chairman or examining secretary who should refuse to include in the minutes the doubts, claims, and protests, whether made verbally or in writing.

10. The chairman and secretaries who do not draft and authorize in due form, in the period prescribed in this law, the number of lists of recapitulations of votes, minutes, and certificates of minutes prescribed in the same for each case, or who do not forward them to their proper destination within the time, in the manner, and with all the requisites prescribed.

11. The mayor or the authority who refuses to receive from the chairman or the secretary, or who should deliver to him the original minutes and the other documents which should be handed over to them; or who refuses to issue the proper and sufficient receipt to the person who made the delivery; or to deposit in the archives, or to forward in a proper case, said minutes and documents to their respective destinations within the time, in the manner, and with the requisites which this law establishes; to publish with due anticipation the place or places of sufficient capacity in which to hold the elections in the sections and colleges, or to supply the electoral committees with white paper, official paper and with other indispensable articles to hold the elections and to draft and forward the proper minutes, their certificates and other documents in the manner established.

12. The chairman and secretaries who permit a person to vote whose name does not appear in the list of the section or college in which he attempts to cast his vote, and those who do not permit the vote to be cast of a person whose name does appear in the said list.

13. Those who break the seals or tear the envelopes of the sealed documents to which articles 116 and 117 refer, before the time they should be opened, and those who, being intrusted with the preservation and custody of said papers, present them with the seals broken or the envelopes torn without naming the real author of the deed.

14. The mayor or public official of any category who refuses or delays the admission or acceptance of electoral claims of any kind, or who refuses to issue at once to the person presenting a claim a receipt for its delivery, though it may not be requested.

15. The public or ecclesiastical officials who do not issue to the person requesting it the sacramental certificates which he may require in order to prove his electoral right, or the lack thereof by a person who appears as elector.

CHAPTER IV.—*Arbitrariness, abuses, and disorders committed in connection with elections.*

ART. 129. All acts of arbitrariness, abuses, or disorders, not foreseen in the preceding chapters, committed in the elections which are the subject of this law, shall be punished by imprisonment of from one to six months, a fine of from 200 to 2,000 pesetas, and temporary disqualification to exercise political rights.

ART. 130. The following commit acts of arbitrariness, abuses, and disorder to which the previous article refers:

1. The public officials who, on the day of the elections, cause an elector

against his will to leave his domicile or remain away therefrom, even though it be on account of the public service, or should prevent him by any other means to exercise his electoral right.

2. The person who locks up or detains another person, depriving him of his liberty for less than three days, in order that he should not be able to take part in the elections, either by casting his vote, or else by materially influencing him.

3. Those causing disorders, disturbing the order in the section, college, or electoral committees in order to prevent any elector from exercising his right.

ART. 131. The following shall be punished by a fine of from 250 to 2,000 pesetas or temporary disqualification to exercise political rights:

1. Those who enter a section, college, or electoral committee with arms, sticks, or canes. In all cases they shall be expelled at once from the building and shall forfeit the right to vote in that election.

2. He who, not being an elector, enters a section, college, or electoral committee and does not depart from these places as soon as he is requested to do so by the chairman.

CHAPTER V.—*Provisions common to this title.*

ART. 132. For the effects of this law there shall be considered as public officials not only those appointed by the Government, but also the mayors, deputy mayors, chairmen of committees, examining secretaries, commissioners to the boards for the examination of votes, and any other who hold a public office, though it be temporarily and without compensation.

For the crimes to which this law refers, committed by public officers, the penalty fixed shall be imposed from its medium to its maximum degree.

ART. 133. The action to accuse of crimes foreseen in this law shall be popular and may be brought until two months after the approval or annulment of the final record.

The accuser shall not be obliged to give any guaranty but must be within the law and continue his action until a final sentence is rendered, and all the proceedings shall be official, and drafted on official paper, without prejudice to the reimbursement at the proper time by the accuser or accused who may have been sentenced.

ART. 134. When a municipal council or the provincial deputation, in referring to acts which they should approve, should resolve to judge of an election, the proper official proceedings shall be instituted by the competent court.

ART. 135. The courts shall proceed immediately against the presumed culprits of electoral crimes, whether they be on account of disagreement or else by virtue of what is provided in the previous article, without awaiting the opinion of the proper authority as to the legality of the election. It shall be the duty of the former to facilitate

to the corporation which should approve a certificate, as long as it is requested through the government or its delegates, the reports, certificates of its results, and other matters which they may think proper in regard to acts which might affect the validity or nullity of the election. But if, at the time of giving this information, the case should be in the stage of preliminary proceedings, the court shall give proper notice of those which are of a reserved character.

ART. 136. The supreme court shall take cognizance of the causes which, by virtue of this law, should be instituted against the delegates of the region, or other authorities or public officials of the same or higher category; the territorial audiencia of those instituted against provincial deputies and judges of first instance, and the inferior courts, of those that may be instituted against the mayors and other public employees of a lower category than those mentioned, or against any other persons who, by reason of their office, interfere in election matters.

ART. 137. The causes in which the accused are, by a final judgment, exempted from liability on account of due obedience, shall necessarily be forwarded to the proper court in order to proceed against the person who was duly obeyed; and if the latter should be a secretary to the Crown, the transmission shall be to the congress of deputies for what may be proper in accordance with the laws.

ART. 138. The courts can not refuse to accept suits relating to electoral acts, at any time they may be brought before the action to accuse has expired by limitation in accordance with the provisions of this law, proceeding in a brief and summary manner. If they should not do so, they shall incur the penalty mentioned in article 364 of the penal code.

ART. 139. The maintenance of order and the immediate repression of the offenses which may be committed in the electoral committees and in boards of examinations of votes, appertains to their respective chairman, to whom the authorities and their agents, who shall have free access to the sections, colleges, and committees, shall give the necessary aid.

ART. 140. When, within a section, college, board of examination of votes, or electoral committee there should be committed any of the crimes punishable according to this law the chairman shall detain the presumed offenders and shall place them at the disposal of the competent judicial authority so that proper proceedings may be instituted.

ART. 141. All provisions which are not expressly mentioned in the provisions of this law shall be punished in accordance with the penal code in force in Porto Rico.

ART. 142. All provisions which are in conflict with the provisions of this law are hereby repealed.

Madrid, December 21, 1896.

Approved by Her Majesty.

CASTELLANO.

ELECTORAL DIVISION.

ROYAL DECREE.

In compliance with the provisions of article 3 of the law of March 15, 1895, in regard to the division of the island of Porto Rico into districts for the provincial elections, at the suggestion of the secretary for the colonies, in concurrence with the council of secretaries;

In the name of my august son the King, D. Alfonso XIII, and as Queen Regent of the Realm,

I decree the following:

ARTICLE 1. The province of Porto Rico shall be divided into four districts for the provincial elections, two belonging to the first region and two to the second, in the following manner:

FIRST REGION.

FIRST DISTRICT.

San Juan, subdivided into 21 sections: San Juan, Maunabo, Yabucoa, Humacao, Piedras, Vieques, Naguabo, Hato Grande (San Lorenzo), Luquillo, Fajardo, Ceiba, Juncos, Jurabo, Aguasbuenas, Caguas, Bayamón, Carolina, Loiza, Río Piedra, Río Grande, Trujillo Alto.

SECOND DISTRICT.

Arecibo, subdivided into 20 sections: Arecibo, Corozal, Vega Alta, Vega Baja, Camuy, Ciales, Hatillo, Manatí, Morovis, Quebradillas, Barceloneta, Aguadilla, Isabela, Moca, Naranjito, Comerio, Dorado, Toa Alta, Toa Baja, Cidra.

SECOND REGION.

FIRST DISTRICT.

Ponce, subdivided into 15 sections: Ponce, Adjuntas, Aibonito, Barranquitas, Barros, Coama, Guayanilla, Juana Diaz, Santa Isabel, Guayama, Arroyo, Cayey, Salinas, Patillas, Utuado.

SECOND DISTRICT.

Mayagüez, subdivided into 15 sections: Mayagüez, Añasco, Cabo Rojo, Sabana Grande, Las Marías, Hormigueros, Maricao, San Germán, Lajas, San Sebastián, Rincón, Lares, Aguada, Peñuelas, Yauco.

ART. 2. The subdivision of the sections into colleges shall take place according to the provisions of the municipal law.

ART. 3. Each district shall elect three provincial deputies, each elector voting for two, in order to facilitate to minorities representation to the provincial deputation.

ART. 4. The electoral proceedings shall be the one fixed in the Royal Decree of this date.

ART. 5. All provisions in conflict with those of this decree are hereby repealed.

Given at the Palace on December 31, 1896.

MARIA CRISTINA.

TOMAS CASTELLANO Y VILLARROYA,
Colonial Secretary.

CALLS FOR ELECTIONS.

ROYAL DECREE.

In compliance with the provisions contained in the law of March 15, 1895, at the suggestion of the secretary for the colonies, in concurrence with the council of secretaries;

In the name of my august son the King, D. Alfonso XIII, and as Queen Regent of the Realm,

I decree the following:

ARTICLE 1. A call for the election of half the councilors of the municipal councils of the island of Porto Rico shall be made to replace those who actually constitute part of said corporations, with the character of temporary without prejudice to the usual renewal which shall take place on the date fixed by the law.

ART. 2. In the same manner, a call for the full election of the provincial deputies of the island of Porto Rico shall be made in compliance with the prescriptions of the provincial law, modified by a decree of this date.

ART. 3. The governor shall make proper calls at the periods respectively mentioned in the municipal and provincial laws, designating the 14th of February as the day for the election of councilors and the 11th of April for that of provincial deputies.

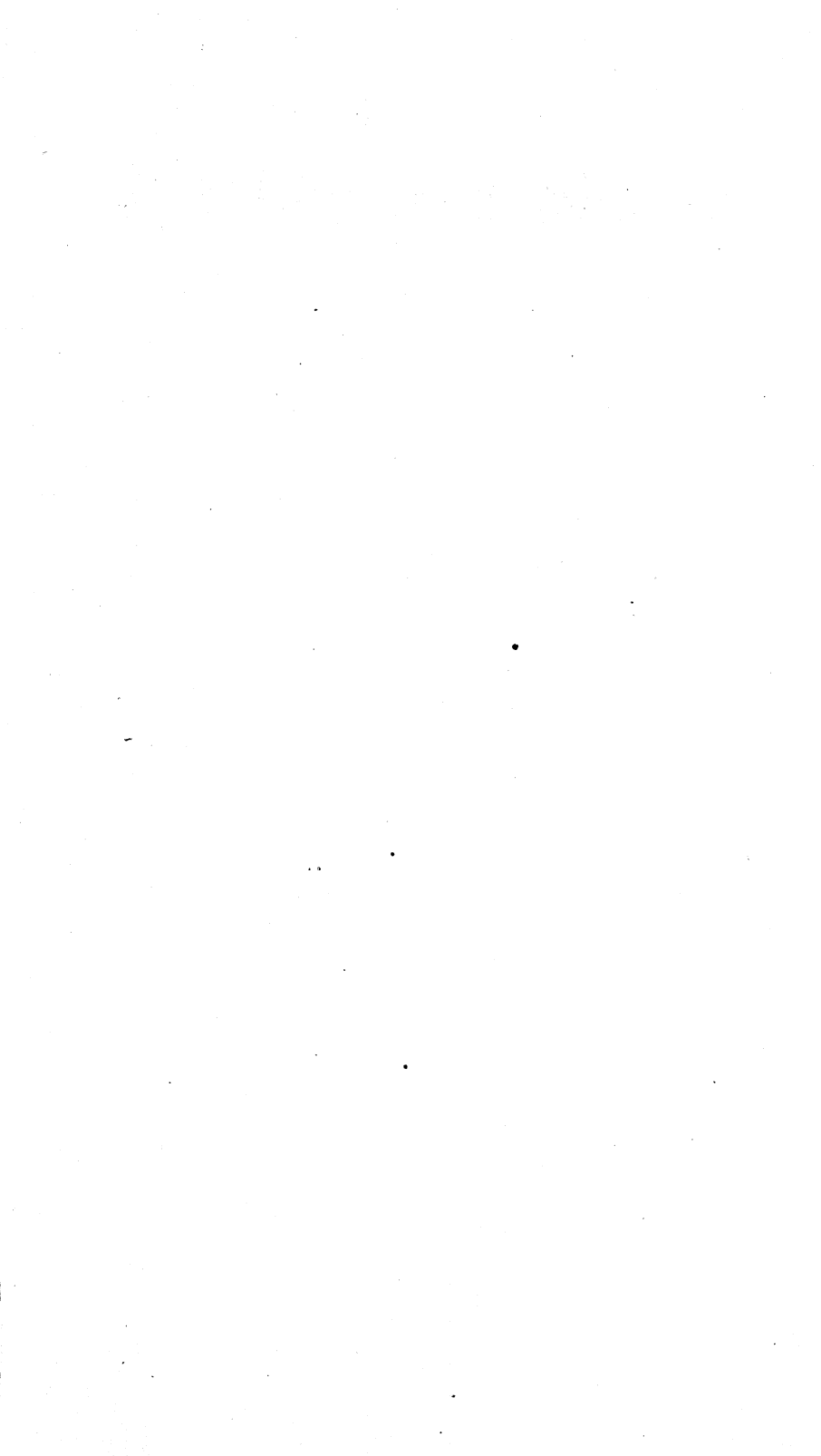
ART. 4. The provincial deputies elected by the first region in virtue of this call shall remain in office until the usual biennial renewal in 1899, and those of the second region until that of 1901.

Given at the Palace, December 31, 1896.

MARIA CRISTINA.

TOMAS CASTELLANO Y VILLARROYA,

Secretary for the Colonies.



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